

Message Text

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ACTION EUR-12

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C O N F I D E N T I A L USBERLIN 1249

E O 11652: GDS
TAGS: PGOV BQG AKB PORS
SUBJ: TERRORIST SHOOTING OF DEFENSE LAWYER IN LORENZ TRIAL:
ARMING OF TRIAL OFFICIALS

REF: (A) STATE 131525; (B) USBERLIN 1232

SUMMARY: A COURT-APPOINTED DEFENSE LAWYER WAS SHOT IN
THE LEG THIS MORNING IN WHAT APPEARS TO BE THE INTRODUCTION
INTO BERLIN OF ITALIAN "RED BRIGADES"-STYLE METHODS.
THIS INCIDENT ADDS A NEW AND ALARMING ELEMENT TO WHAT IS
ALREADY A BURGEONING POLITICAL CONTROVERSY (SEPTTEL) OVER
THE EFFECTIVENESS OF ANTI-TERRORISM MEASURES HERE, IN THE
AFTERMATH OF THE FREEING FROM PRISON BY TERRORISTS MAY 27
OF ONE OF THE SIX PERSONS ON TRIAL HERE FOR THE LORENZ
KIDNAPPING AND OTHER ACTS. THE SHOOTING GIVES ADDED
URGENCY TO THE QUESTION OF PROTECTION OF TRIAL OFFICIALS,
AND TO THE CONTINUING REFUSAL BY THE ALLIES (PRIMARILY
THE FRENCH) TO BUDGE ON THE ISSUE OF PERMITTING INDI-
VIDUAL OFFICIALS TO CARRY WEAPONS. WE FEEL IT WOULD BE
ESPECIALLY USEFUL, IN LIGHT OF THE DEVELOPMENTS OF THE
PAST SEVERAL DAYS ON THE TERRORIST SCENE IN BERLIN, TO
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MAKE THIS POINT AT A FAIRLY HIGH LEVEL TO THE FRENCH. IF
THE OPPORTUNITY CAN BE FOUND ON THE FRINGES OF THE
MEETINGS IN WASHINGTON, A MENTION OF THIS ISSUE BY
ASSISTANT SECRETARY VEST TO ANDREANI WOULD BE A TIMELY
STIMULUS TO OUR HOPED-FOR FRENCH REVIEW OF THEIR POSITION
AGAINST ARMING. END SUMMARY.

1. AT APPROXIMATELY 0835 BERLIN TIME THIS MORNING COURT-APPOINTED DEFENSE LAWYER DIETMAR HOHLA WAS HIT IN THE LEG BY SHOTS FIRED FROM A PASSING CAR ON A DOWNTOWN BERLIN STREET. ACCORDING TO INIPAL POLICE REPORTS, ONE OF THREE SHOTS FIRED INJURED HOLHA LIGHTLY. IN DEPARTING THE SCENE, PERSONS IN THE CAR THREW A HANDFUL OF "CROWS' FEET" (TIRE PUNCTURING DEVICES) INTO THE STREET TO PREVENT IMMEDIATE PURSUIT. THE CAR WAS SUBSEQUENTLY ABANDONED AND IS NOW IN POLICE CUSTODY, WHO ARE CARRYING OUT A SEARCH OF THE AREA.

2. WE REGARD THIS INCIDENT, VIEWED AGAINST DEVELOPMENTS OF THE PAST FEW DAYS, AS A SERIOUS INDICATION THAT TERRORISTS TACTICS IN BERLIN MAY BE ENTERING A NEW AND MORE AGGRESSIVE PHASE. THE TERRORISTS WHO UNDERTOOK THE ACTION ON MAY 27. WHICH RESULTED IN THE ESCAPE FROM MOABIT PRISON OF TILL MEYER DID SO AGAINST CONSIDERABLE ODDS. THE SUCCESS OF THE OPERATION DEPENDED NOT ONLY ON BEATING THE DOCUMENTS AND PRESUMED WEAPONS CHECKS BY PRISON OFFICIALS UPON ENTRY, BUT ALSO ON EXITING THE PRISON AND GETTING AWAY WITHOUT BEING APPREHENDED BY THE POLICE WHO GUARD THE STREET OUTSIDE. THE LATTER UNDER EXPECTED CIRCUMSTANCES WOULD HAVE BEEN ALERTED BY THE PRISON ALARM SYSTEM WHILE THE TERRORISTS WERE STILL INSIDE THE BUILDING. IT WOULD APPEAR THAT THE TERRORISTS WERE WILLING TO RUN A VERY HIGH RISK OF DETECTION, AND OF A SHOOTOUT WITH PRISON OFFICIALS

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AND/OR POLICE (OUTSIDE THE PRISON) UNDER DISADVANTAGEOUS CONDITIONS. WE NOTE ALSO IN THIS CONNECTION THAT THE RHETORIC OF THOSE ON TRIAL SEEMS TO HAVE BECOME MORE INFLAMMANTORY. YESTERDAY DEFENDANT ANDREAS VOGEL, WHOM THE TERRORISTS WERE UNSUCCESSFUL IN FREEING ON MAY 27, MADE WHAT AMOUNTED TO AN APPEAL FOR MORE VIOLENCE AND FEWER SCRUPLES AGAINST USE OF WEAPONS ON THE PART OF THE TERRORISTS.

3. WE EXPECT THAT THE SHOOTING INCIDENT THIS MORNING WILL DIRECT RENEWED ATTENTION TO THE ALLIES' ROLE IN THE ANTI-TERRORISM QUESTION, AND SPECIFICALLY TO THE DESIRE BY THE BERLIN SENAT WITH SUPPORT IN BONN THAT JUDGES AND PROSECUTORS IN THE LORENZ AND RELATED TRIALS BE PERMITTED TO CARRY ARMS. COURT-APPOINTED DEFENSE LAWYERS WERE NOT INCLUDED IN THIS REQUEST, ALTHOUGH THEY WILL SURELY NOW BE CONSIDERED IN THE ENDANGERED PERSONS CATEGORY. IN FACT, THE PROSECUTOR IN THE LORENZ CASE, HERR OBERLE, APPEALED AGAIN TO THE BRITISH YESTERDAY TO PERMIT THE PROSECUTORS TO BE ARMED.

4. WE URGE THAT, IF AT ALL POSSIBLE, AN OPPORTUNITY BE FOUND FOR ASSISTANT SECRETARY VEST TO RAISE THE ISSUE

WITH ANDREANI AND STRESS THE IMPORTANCE OF ALLIED RE-
THINKING OF RESTRICTIONS ON PERMITTING EVEN A LIMITED
NUMBER OF TRIAL OFFICIALS TO CARRY ARMS ON A TEMPORARY
BASIS. IT SEEMS TO US THAT THE DEPARTMENT'S PROPOSAL
OF CALLING IN A FRENCH EMBASSY OFFICER WOULD BE TOO TIME-
CONSUMING, ESPECIALLY IF ANDREANI IS IN FACT THE FRENCH
DECISION-MAKER ON THE SUBJECT.GEORGE

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